IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 1324 OF 2007
IN
APPEAL NO. 231 of 2007
IN
SUMMONS FOR JUDGEMENT NO.458 OF 2006
IN
SUMMARY SUIT NO.2129 OF 2006

Bijeo Electricals & Anr. .. Applicants

versus

Padma Metal Industries Pvt.Ltd. .. Respondents

...

Mr.Clive D'Souza for the applicants.

Mr.R.S. Champawat for the respondents.

CORAM : R.M.S. KHANDEPARKAR
AND D.G.KARNIK, JJ

DATED : 18th April 2007.

P.C.:

1. Heard.

2. Undisputedly, leave have been granted and decree has been passed solely on the basis that the

jurisdiction has arisen within the territorial limits of this court at Mumbai on the ground that the delivery challen was signed at Mumbai. The delivery challans however apparently nowhere discloses signature of the party having been affirmed at Mumbai. Undisputedly, the goods are stated to have been delivered at Bhiwandi.

3. Hence, prima facie case is made out for the grant of interim relief as prayed for. Notice of Motion therefore is made absolute in terms of prayer clause (a). Notice of Motion stands disposed of.

(R.M.S. KHANDEPARKAR, J)

D.G. KARNIK, J